

REMARKS

An Office Action was mailed on May 2, 2003, and declared Final. Claims 6-10 are pending in the present application.

REJECTIONS UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

Claims 6-10 are rejected under 35 U.S.C. §112, first paragraph, because it is asserted that U.S. Patent 5,264,168 fails to specifically set forth "specific parameters as regards particle size" or "special composition characteristics" of an inorganic binder. Such rejections were discussed in a telephone interview with the Examiner on May 21, 2003, the substance of which is set forth in the Interview Summary dated May 22, 2003. Applicant's representative appreciates the time that the Examiner spent discussing this case and the cited rejections.

As noted in the Interview Summary, the Examiner agreed that U.S. Patent 5,264,168 provides sufficient support for "specific parameters as regards particle size." With respect to "special compositional characteristics," Applicant has amended the present specification to relate to -- a binding phase -- having special compositional characteristics. Support for such amendment can be found in the middle of column 3 through to the beginning of column 4 of the '168 patent, as well as claim 1 of the '168 patent and throughout the remainder of the '168 patent. Such amendment is being presented herewith so that the present specification more accurately references the significant aspects of the '168 patent, which references the characteristics of the binding phase throughout the patent disclosure.

It cannot be stressed enough that Applicant's amendment to the specification and specific response to the §112, first paragraph rejection, is being provided for purposes of accuracy and consistency with what has been previously set forth and described in the '168 patent. Clearly, the claims of the present application are directed to a particular method as set forth in the present specification, which, while related somewhat to the '168 patent disclosure, has separate and distinct merit as supported by the detailed description of the present invention. Accordingly, it is further respectfully submitted that

10/031.552
11163178.01

- 5 -

any amendment to the specification for purposes of consistency and accuracy with the '168 disclosure should not be considered objectionable new matter, particularly as such amendment has very little bearing on the claimed method steps.

Accordingly, it is respectfully requested that the Examiner withdraw this specific rejection under 35 U.S.C. § 112, first paragraph.

The remaining §112, first paragraph rejections to claims 6-10 are based on the omission of the recited temporary support layer as specifically described in the specification. While not specifically set forth in the text of the Interview Summary dated May 22, 2003, the Examiner and the Applicant's representative discussed that the addition of the temporary support layer to the claims, as specifically set forth in the specification, should not result in a new matter rejection or require further search and/or consideration given that such claim amendments would merely further limit the claim scope and thus incorporate the same references and prior art previously searched and/or considered.

Accordingly, Applicant has amended the claims to specifically provide for the elements recited in the specification that are not currently recited in the claims as set forth in the remaining §112, first paragraph rejections. Specifically, an additional stage of -- (i) providing a temporary support layer and arranging on top of said temporary support layer a first sheet of cardboard or paperboard -- is herewith added to claim 1, which stage is supported by steps 1-2 that are recited on page 3 of the specification. As a result of the additional stage "(i)" and the renumbering of subsequent stages, certain dependent claims are also amended because of the previously-referenced renumbered stages and for consistency with the stages defined in the independent claim. Furthermore, the "first sheet" is defined as "cardboard or paperboard" for consistency for the previously defined "second sheet" and in accordance with the discussion on page 3, lines 1-5 of the present specification. Thus, such amendments are amply supported in the originally-filed specification. Again, it respectfully submitted that such amendments should be entered and considered by the Examiner in the present case and should not require further search and/or consideration by the Examiner.

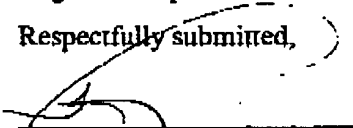
10/031,552
11103178 01

- 6 -

An earnest effort has been made to be fully responsive to all the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 6-10, consisting of independent claim 6 and the claims dependent therefrom, are now in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



Harris A. Wolin
Reg. No. 39,432

CUSTOMER NUMBER 026304

KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NEW YORK 10022-2585
PHONE: (212) 940-8800; FAX: (212) 940-8776
DOCKET NO.: SAIC 19.190 (100788-00051)

10/031,552
11163178 01

- 7 -